

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KETAN
DESAI
vs. ① Christopher Clark
② RS
INVESTMENTS

CIVIL ACTION NO. 09-CV-2957

COMPLAINT

In a blog on Seeking Alpha, I had advised shorting Myriad Genetics. On July 2, 2008, Mr. Christopher Clark of RS Investments lied about my position, claiming I had advised shorting it at a different price. He also mis-represented my position on the burn rate of the company. Finally, he mocked my medical degree, causing great harm to my reputation.

Ketan Desai

Signature

1175 SPRING ROAD

EASTON, PA, 18040

Address

CONTACT INFORMATION SHEET

Civil Action No.: _____

Name: _____

(Please print)

Address: _____

Phone #: _____

(Include area code)

E-mail address: _____

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

CASE MANAGEMENT TRACK DESIGNATION FORM

① Christopher Clark
Ketan Desai ② RS
v. Investments

CIVIL ACTION

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a.) Habeas Corpus - Cases brought under 28 U.S.C. §2241 through §2255. ()
- (b.) Social Security - Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c.) Arbitration - Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d.) Asbestos - Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e.) Special Management - Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management case.) ()
- (f.) Standard Management - Cases that do not fall into any one of the other tracks.

6/29/09

Date

Ketan Desai

Print Name of Pro Se Plaintiff

Signature of Pro Se Plaintiff

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA - DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 1175 SPRING ROAD, EASTON, PA, 18040
 Address of Defendant: 388 MARKET STREET, SUITE 1700, SAN FRANCISCO, CA - 94111
 Place of Accident, Incident, or Transaction: OVER THE INTERNET

(Use Reverse Side For Additional Space)

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

- 1.) Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes ☐ No ☐
- 2.) Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? Yes ☐ No ☐
- 3.) Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court? Yes ☐ No ☐

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases

- 1.) ☐ Indemnity Contract, Marine Contract, and all Other Contracts
- 2.) ☐ FELA
- 3.) ☐ Jones Act-Personal Injury
- 4.) ☐ Antitrust
- 5.) ☐ Patent
- 6.) ☐ Labor-Management Relations
- 7.) ☐ Civil Rights
- 8.) ☐ Habeas Corpus
- 9.) ☐ Securities Act(s) Cases
- 10.) ☐ Social Security Review Cases
- 11.) ☐ All other Federal Question Cases (Please specify)

B. Diversity Jurisdiction Cases:

- 1.) ☐ Insurance Contract and Other Contracts
- 2.) ☐ Airplane Personal Injury
- 3.) ☒ Assault, Defamation
- 4.) ☐ Marine Personal Injury
- 5.) ☐ Motor Vehicle Personal Injury
- 6.) ☐ Other Personal Injury (Please specify)
- 7.) ☐ Products Liability
- 8.) ☐ Products Liability - Asbestos
- 9.) ☐ All other Diversity Cases (Please specify)

ARBITRATION CERTIFICATION

(Check appropriate category)

I, KETAN DESAI counsel of record do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs.
- ☐ Relief other than monetary damages is sought.

Date

6/29/09

Print Name of Pro Se Plaintiff

Ketan Desai

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

Date

6/29/09

Signature of Pro Se Plaintiff

Ketan Desai